

DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

APPLICATION NO. **09/423776**

INTERNATIONAL APPLICATION NO.

**PCT/AU98/00356**

INTERNATIONAL FILING DATE

**13 May 1998**

PRIORITY DATE CLAIMED

**13 May 1997**

TITLE OF INVENTION

**METHOD AND APPARATUS FOR MONITORING HAEMODYNAMIC FUNCTION**

APPLICANT(S) FOR DO/EO/US

**Colin DUNLOP**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau. (PCT/IB/308 mailed November 19, 1998)
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
- ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)) is attached.
- ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
- ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11. to 16. below concern other document(s) or information included:
  11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 with PTO FORM 1449.
  12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
  13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
  14. ☐ A substitute specification.
  15. ☐ A change of power of attorney and/or address letter.
  16. ☒ Other items or information:

<input checked="" type="checkbox"/> Preliminary Examination Report	<input checked="" type="checkbox"/> Copy of Request
<input checked="" type="checkbox"/> Annexes to Pre. Ex. Rep.	<input checked="" type="checkbox"/> <u>6</u> sheets of formal drawings
<input checked="" type="checkbox"/> International Search Report	<input checked="" type="checkbox"/> Abstract
<input type="checkbox"/> German Novelty Search Report	<input type="checkbox"/> Verified Statement Claiming Small Entity Status
<input type="checkbox"/> <u>   </u> copies of citations	<input checked="" type="checkbox"/> Submission of Incomplete Application
<input checked="" type="checkbox"/> Form PCT/IB/308	<input type="checkbox"/> German Language Specification
<input checked="" type="checkbox"/> International Publ. No. <u>WO 98/51212 (Face page only)</u>	

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this Transmittal Letter and the papers indicated as being transmitted therewith is being deposited with the United States Postal Service on this date **November 10, 1999** in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number **EL248837249US** addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231

Michael J. Bujold  
(typed or printed name of person mailing paper)

  
(signature of person mailing paper)

## 17. ■ The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5)):  
 Search Report has been prepared by the EPO or JPO ..... \$840.00  
 International preliminary examination fee paid to USPTO (37 CFR 1.482) ..... \$670.00  
 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international  
 search fee paid to USPTO (37 CFR 1.445(a)(2)). ..... \$760.00  
 Neither international preliminary examination fee (37 CFR 1.482) nor  
 international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$970.00  
 International preliminary examination fee paid to USPTO (37 CFR 1.482)  
 and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00  
 ENTER APPROPRIATE BASIC FEE AMOUNT =

420 Rec'd PCT/PTO

10 NOV 1999

CALCULATIONS

PTO USE ONLY

970

0

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from  
 the earliest claimed priority date (37 CFR 1.492(e)).

Claims	Number Filed	Number Extra	Rate
Total Claim	32 - 20 =	12	x \$18.00
Independent Claims	2-3 =	0	x \$78.00
Multiple dependent claim(s) (if applicable)			+ \$260.00

216

0

0

TOTAL OF ABOVE CALCULATIONS =

1186

Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must  
 also be filed. (Note 37 CFR 1.9, 1.27, 1.28).

0

SUBTOTAL =

1186

Processing fee of \$130.00 for furnishing the English translation later the ☐ 20 ☐ 30 months  
 from the earliest claimed priority date (37 CFR 1.492(f)).

+

0

TOTAL NATIONAL FEE =

1186

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
 accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property

+

0

TOTAL FEES ENCLOSED =

1186

Amount to be:  
refunded

\$

charged

\$

a. ■ A check in the amount of \$ 1186 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 04-0213 in the amount of \$        to cover the above fees.  
 A duplicate copy of this sheet is enclosed.

c. ■ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to  
 Deposit Account No. 04-0213. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b))  
 must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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11/10/99

09/423776

PATENT APPLICATION

420 Rec'd PCT/PTO 10 NOV 1999  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Colin DUNLOP  
Serial no. : by way of PCT/AU98/00356  
Filed : with an effective filing date of May 13, 1998  
For : METHOD AND APPARATUS FOR MONITORING  
HAEMODYNAMIC FUNCTION  
Group Art Unit :  
Examiner :  
Docket : GRIHAC P26AUS

The Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**SUBMISSION OF INCOMPLETE APPLICATION**

Dear Sir:


Submitted herewith is a transmittal letter and accompanying application documents which are incomplete due to the omission of a Declaration and Power of Attorney. The Applicant is Colin DUNLOP of 132A Cressy Road, East Ryde NSW 2113, Australia.

This application claims priority from Australia Application No. PO6763 filed 13 May 1997.

Other details concerning the filing of this application can be found on the accompanying transmittal letter.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,

  
Michael J. Bujold, Reg. No. 32,018  
Customer No. 020210

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